

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ACS MANUFACTURING, INC.,	§	
	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Civil Action No. 4:22-CV-687
	§	Judge Mazzant
ROLLS ROYCE SOLUTIONS	§	
AMERICA INC.,	§	
	§	
<i>Defendant.</i>	§	
	§	

ORDER

Pending before the Court is the Parties’ Joint Motion to Modify Scheduling Order (Dkt. #41). Having considered the motion and the relevant law, the Court finds that the motion should be **GRANTED in part** and **DENIED in part**.

The parties request over two-months of an extension on almost all remaining deadlines (Dkt. #41 at p. 2). Under Federal Rule of Civil Procedure 16(b)(4), scheduling orders “may be modified only for good cause and with the judge’s consent.” Here, the Court finds that the parties have not shown good cause to amend the existing date for the final pretrial conference (“PTC”) or the dispositive motion deadline. The inability for the parties to finish discovery in the time allotted will not be enough of a reason on its own to constitute good cause for an extension of all remaining deadlines. Instead, the Court will only grant the request to extend discovery.

The PTC will remain scheduled for December 7, 2023, and the dispositive motion deadline will remain on July 20, 2023. Additionally, all other deadlines—outside of the discovery deadline—will also remain the same.

As for discovery, the Court sees no issue with extending discovery as requested, meaning that depositions will need to be concluded by September 15, 2023. As indicated in the parties' motion, the deadline is not "intended to restrict Plaintiff's right to seek enforcement of the subpoenas [provided to Google LLC]" (Dkt. #41 at p. 2). In sum, the Court finds that the extension of the discovery deadline will not impact the other set deadlines, and the parties have not provided any reason that would convince the Court otherwise.

It is hereby **ORDERED** that the Parties' Joint Motion to Modify Scheduling Order (Dkt. #41) is **GRANTED** in that the "All discovery shall be commenced in time to be completed by this date" portion of the current Scheduling Order will be extended to September 15, 2023.

It is further **ORDERED** that the request for an extension of all other deadlines is hereby **DENIED**.

IT IS SO ORDERED.

SIGNED this 29th day of June, 2023.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE